

LEGISLATIVE COUNCIL RESOLUTION 15-01
(As Adopted May 28, 2015)

BE IT RESOLVED BY THE INDIANA LEGISLATIVE COUNCIL:

SECTION 1. For the purposes of this resolution, "study committee" means a committee or commission which has been established by the Legislative Council or statute and:

- (1) is chaired by a member of the General Assembly and has members of the General Assembly serving as at least one-half of its voting membership;
- (2) is required by law to be staffed by the Legislative Services Agency or to operate under procedures or policies established by the Legislative Council;
- (3) whose chair by law must be selected by the Chair of the Legislative Council, the Speaker of the House, or the President Pro Tempore of the Senate; or
- (4) has members of the General Assembly serving as at least one-half of its voting membership.

SECTION 2. This section applies to a study committee established by IC 2-5-1.3-4. The following study committees have the following lay members:

(1) INTERIM STUDY COMMITTEE ON CORRECTIONS & CRIMINAL CODE

- (A) Four (4) lay members appointed under IC 2-5-1.3-6(b).
- (B) An additional two (2) lay members appointed under IC 2-5-1.3-6(c) by the chair of the Legislative Council, with the advice of the vice-chair of the Legislative Council.
- (C) The appointing authorities shall provide for the appointment of lay members under this subdivision with the following experience or training:
 - (i) One (1) lay member who is a circuit or superior court judge who exercises criminal or juvenile jurisdiction.
 - (ii) One (1) lay member who is a public defender.
 - (iii) One (1) lay member who is a prosecuting attorney.
 - (iv) One (1) lay member who is a probation officer.
 - (v) One (1) lay member who is an employee of the department of correction.
 - (vi) One (1) lay member who has experience in administering a community corrections program and is not an employee of the department of correction.

(2) INTERIM STUDY COMMITTEE ON COURTS & JUDICIARY

- (A) Four (4) lay members appointed under IC 2-5-1.3-6(b).
- (B) One (1) additional lay member appointed under IC 2-5-1.3-6(c) by the chair of the Legislative Council, with the advice of the vice-chair of the Legislative Council.
- (C) The appointing authorities shall provide for the appointment of lay

- members under this subdivision with the following experience or training:
- (i) the chief justice of the supreme court or a representative designated by the chief justice.
 - (ii) One (1) lay member who is a sitting judge.
 - (iii) One (1) lay member who is a county commissioner.
 - (iv) One (1) lay member who is a member of a county council.
 - (v) One (1) lay member who is a circuit court clerk.

(3) INTERIM STUDY COMMITTEE ON PENSION MANAGEMENT OVERSIGHT

- (A) Four (4) lay members appointed under IC 2-5-1.3-6(b) who are experts in the areas of finance, investments, or pension fund management.

(4) INTERIM STUDY COMMITTEE ON PUBLIC HEALTH, BEHAVIORAL HEALTH, & HUMAN SERVICES

- (A) Four (4) lay members appointed under IC 2-5-1.3-6(b) with experience or training in public health, behavioral health, or human services.

Lay members appointed under this section are voting members of the study committee to which they are appointed.

SECTION 3. (a) This SECTION applies to a study committee established by IC 2-5-1.3-4 or otherwise required by law to be staffed by the Legislative Services Agency or operate under procedures or policies established by the Legislative Council.

(b) A study committee may not study a topic or take testimony on a topic, including topics described by statute, unless the topic is assigned by the Legislative Council or the topic is approved by the Personnel Subcommittee of the Legislative Council.

(c) A report, by whatever name denominated, that is required to be distributed to the Legislative Council, a study committee, or one (1) or more members of a study committee is not a topic assigned for study by a study committee, unless the topic is assigned by the Legislative Council or the topic is approved by the Personnel Subcommittee of the Legislative Council.

SECTION 4. No topics are assigned in this Resolution to any of the following study committees established by IC 2-5-1.3-4:

- (1) The Interim Study Committee on Commerce and Economic Development.
- (2) The Interim Study Committee on Elections.
- (3) The Interim Study Committee on Employment and Labor.
- (4) Interim Study Committee on Public Safety and Military Affairs.

SECTION 5. The following study committees established by IC 2-5-1.3-4 shall study and make findings and recommendations concerning the following topics assigned to them and submit a final report to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2015:

(1) INTERIM STUDY COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Issues related to facilitating an Indiana based local farm and food product economy. (Source: HR 72).
- (B) The production and use of hemp oil that is produced from industrial hemp. (Source: HEA 1181-2015).

(2) INTERIM STUDY COMMITTEE ON CORRECTIONS & CRIMINAL CODE

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The problems faced by offenders when the offenders are:
 - (1) released from a penal facility; and
 - (2) attempting to find employment; including studying the possibility of establishing programs to encourage employers to hire these offenders.(Source: HR 83; HB 1612, as Introduced).
- (B) The following related to adult protective service laws:
 - (1) Review and evaluate Indiana's adult protective services laws.
 - (2) Review and evaluate Indiana's statewide adult protective services units and programs.
 - (3) Identify and study the best practices for adult protective service programs.
 - (4) Consider a statewide program to assist with county level adult protective service programs.
 - (5) Review programs in other states regarding:
 - (A) elder abuse prevention;
 - (B) financial exploitation of the elderly; and
 - (C) physical and mental abuse of the elderly.
 - (6) Evaluate whether funding for adult protective services is sufficient.(Source: SB 182 as printed January 28, 2015).
- (C) Retrieving DNA samples from anyone arrested for a felony. (Source: Letter from Rep. Bauer).
- (D) The following:
 - (1) Emerging technology, social media, and other electronic platforms and the

impact they have on crime involving sexual assault, blackmail, bullying, etc.

(2) Curbing demand for prostitution through increasing the fines and penalties for those persons who purchase sex; further increasing the fines and penalties when purchasing sex from a child.

(3) Establishing an affirmative definition of consent, re: rape/sexual assault.

(4) Ensuring confidentiality for campus assault advocates.

(5) Providing safe harbor, ensuring that child victims of human trafficking are not charged with prostitution but are treated by the criminal justice system as victims.

(6) Funding for victim services.

(7) Providing a mechanism for groups that serve children to collect data dealing with human trafficking victims.

(8) Exploring the possibility of vacating convictions for prostitution or other crimes committed while the person was being trafficked.

(9) Reviewing statewide study of children, assault, and underreporting, to include the possible need for further study.

(10) Child molesters and the spread of sexually transmitted diseases to underage victims.

(11) Custody issues between rape victims, particularly underage victims, and rape perpetrators.

(Source: HR 70).

(3) INTERIM STUDY COMMITTEE ON COURTS AND JUDICIARY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) Medical Malpractice Act, including whether the cap on the damages should be increased and any potential changes or improvements to the medical review panel process that may improve and streamline the process. (Source: HR 79).

(B) Review and report on all requests for new courts or changes in jurisdiction of existing courts, including creation of an additional commissioner for the Marion County Circuit Court. (Source: Personnel Subcommittee of the Legislative Council; Letters from Senator Taylor and Rep. Pryor).

(C) Availability of identifying information in adoptions. (Source: Letter from Senator Steele).

(4) INTERIM STUDY COMMITTEE ON EDUCATION

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) School testing and reporting requirements and their impact on school corporations; statewide testing requirement, data collection and reports required by the state; data collection and reports required by the federal government. (Source: HB 1576, as Introduced).

(B) The following topics concerning special education for developmentally delayed

children:

- (1) The categories of special education for which funding is provided for preschool, kindergarten, and elementary students.
- (2) The number of children in preschool who are identified as developmentally delayed, and the amount and sources of funding for the identified children.
- (3) The number of children identified in preschool as developmentally delayed who are placed in a different special education category or categories in kindergarten and grade 1.
- (4) The estimated cost of providing services to special education services to students in kindergarten and grade 1 who were identified as developmentally delayed in preschool, using both state and federal funds.

(Source: HEA 1001-2015).

- (C) Whether the ISTEP program should be replaced with an alternative statewide assessment and issues related to the development of acceptable tests from which a school may select to meet state requirements. (Source: SEA 566-2015; SB 470, as printed February 20, 2015).

(5) INTERIM STUDY COMMITTEE ON ENERGY, UTILITIES, AND TELECOMMUNICATIONS

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) For purposes of the law governing alternative energy production, cogeneration, and small hydro facilities, including cogeneration facilities on-site or within the proximate area of a host operation within the scope of the term "private generation project" and including alternate energy production facilities, cogeneration facilities, and small hydro facilities on-site or within the proximate area of a host operation within the scope of the term "eligible facility". (Source: HEA 1318-2015).
- (B) Provision of affordable broadband services in under-served areas, including specific strategies to encourage the provision of affordable broadband services in unserved areas in Indiana. (Source: HR 79; SB 469 as printed February 6, 2015).
- (C) Any report required to be submitted to the committee by statute. (Source: Personnel Subcommittee of the Legislative Council).

(6) INTERIM STUDY COMMITTEE ON ENVIRONMENTAL AFFAIRS

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Solid waste management districts to determine whether any changes should be made to the statutes governing solid waste management districts. (Source: IC 13-21-1-4).
- (B) Water distribution systems relevant to the White, Wabash, and Ohio River basins;

examine and identify measures necessary to develop a plan to create a stable grid linking existing water distribution systems. (Source: HB 1111, as Introduced).

(7) INTERIM STUDY COMMITTEE ON FINANCIAL INSTITUTIONS AND INSURANCE

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Property or casualty insurance coverage for an innocent coinsured. (Source: SB 125, as printed February 20, 2015).

(8) INTERIM STUDY COMMITTEE ON FISCAL POLICY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) A multi-year review, analysis, and evaluation of all tax incentives. (Source: HEA 1020-2014, as revised by HEA 1142-2015).

- (B) Economic development for a growing economy (EDGE) tax credit program. (Source: HEA 1001-2015).

- (C) The following issues:

(1) Whether the statute governing school corporation capital projects funds should be amended to allow money in those funds to be used on a permanent basis for utilities, insurance, and technology.

(2) Whether the name of the school corporation capital projects fund should be changed to reflect the use of money in the fund for purposes other than capital projects.

(Source: HEA 1001-2015).

- (D) Alternative means of agricultural assessment. (Source: SEA 436-2015).

- (E) Whether a uniform food and beverage tax should be enacted into law to allow local governments to adopt such a tax. (Source: HEA 1044-2015).

(9) INTERIM STUDY COMMITTEE ON GOVERNMENT

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The following concerning public records requests for police body camera video:

(1) Whether additional exemptions are needed in the open records law (IC 5-14-3) to prevent the disclosure of private information caught on police body camera video, including interiors of private homes, medical information, juveniles, witnesses, and victims.

(2) Restricting the scope and size of public records requests for police body

camera video.

(3) Restricting the persons and agencies that may obtain police body camera video by making a public records request.

(4) Restricting the purposes for which police body camera video may be used.

(5) The ability of a public agency to search, redact, and edit police body camera video to remove nondisclosable information.

(Source: HR 83; SB 454, as Introduced; HB 1225, as Introduced).

(B) The effects of SEA 330-2015 (annexation laws) on economic development projects.

(C) Reducing the size of the Indiana Code by identifying for repeal statutes that are: (1) obsolete; (2) superseded; or (3) no longer applied. (Source: HEA 1509-2015, as modified by the Personnel Subcommittee of the Legislative Council).

(10) INTERIM STUDY COMMITTEE ON PENSION MANAGEMENT OVERSIGHT

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) Review and report on all requests for changes in a public pension program. (Personnel Subcommittee of the Legislative Council).

(11) INTERIM STUDY COMMITTEE ON PUBLIC HEALTH, BEHAVIORAL HEALTH, AND HUMAN SERVICES

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) Needle distribution and collection programs as part of a comprehensive response to reducing disease transmission due to intravenous drug use. The study must include a review of the appropriate criminal penalties for drug offenses and drug paraphernalia related offenses and the use of problem solving courts. Source: SEA 461-2015).

(B) The report of the Department of Insurance required by HEA 1269-2015, SECTION 31, covering the following:

(1) The following information concerning the department's accident and sickness insurance or health maintenance organization consumer complaint process:

(i) How a complaint is made.

(ii) Where the complaints originate.

(iii) How a complaint is processed and investigated by the department.

(iv) The number of complaints received by the department and the reasons for the complaints.

(v) The basis for complaint determinations by the department.

(vi) The department's authority to investigate accident and sickness insurance companies and health maintenance organizations and complaints made concerning these entities.

(2) Current definitions in accident and sickness insurance policies and health maintenance organization contracts for "investigatory", "experimental", or similar terms used for denials of claims.

(3) Accident and sickness health insurance and health maintenance organization claim data concerning denials of claims in the previous three (3) calendar years.

(4) A review of the data described in above subdivision (3) for denials because a procedure was deemed experimental, investigatory, or a similar term and a comparison of these procedures and whether, with data available, the Medicaid program and the Medicare program consider these procedures to be experimental or investigatory.

(Source: Request from Senator Miller).

(12) INTERIM STUDY COMMITTEE ON PUBLIC POLICY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) The following:

(1) Whether smoking should be prohibited in bars, casinos, and private clubs.

(2) The fiscal impact of prohibiting smoking in bars, casinos, and private clubs.

(Source: SEA 463-2015).

(B) The following:

(1) Whether e-cigarettes should be:

(i) defined as tobacco products; and

(ii) subject to smoking bans.

(2) E-cigarette taxation.

(Source: SEA 463-2015).

(C) The following:

(1) The fiscal impact of an increase in the cigarette tax.

(2) Possible funding sources for tobacco use prevention and cessation programs.

(3) The impact of the tobacco tax on smoking rates and healthy living ratings relative to other states.

(4) The impact of smoking upon families and pregnancy.

(5) The costs incurred by the state as a result of:

(i) smoking during pregnancy; and

(ii) smoking within families.

(Source: SEA 463-2015).

(D) The fiscal impact of changing existing laws regarding cigarette tax distribution.

(Source: SEA 463-2015).

(13) INTERIM STUDY COMMITTEE ON ROADS AND TRANSPORTATION

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) The sale by a motor vehicle manufacturer of new motor vehicles directly to

consumers other than through an independent franchised new motor vehicle dealer that has a physical place of business capable of performing complete warranty service on motor vehicles produced by the manufacturer. (Source: SB 72, as printed February 17, 2015).

- (B) Use of enterprise zone money for public transportation. (Source: HR 78).
- (C) Blocked railroad grade crossings. (Source: SEA 27-2015).
- (D) Steps the Bureau of Motor Vehicles is taking in response to the BKD Operational Assessment (Source: Letter from Rep. Soliday).
- (E) Advise the bureau of motor vehicles regarding the suitability of a special groups to have a special group recognition license plate. (Source: IC 9-18-25).

SECTION 6. In addition to any topic assigned to the study committee by statute, a study committee identified in this SECTION shall study the following topics and make a final report with findings and recommendations to the Legislative Council before November 1, 2015, in an electronic format under IC 5-14-6:

(1) AUDIT AND FINANCIAL REPORTING SUBCOMMITTEE OF THE LEGISLATIVE COUNCIL

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Responsibilities of the Subcommittee under IC 2-5-1.1-6-3 (Source: IC 2-5-1.1-6-3).

(2) CODE REVISION COMMISSION (IC 2-5-1.1-10)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Prepare technical correction language to implement SEA 441-2015 (tax matters). (Source: SEA 441-2015).
- (B) Prepare technical correction language to implement SEA 500-2015 (obsolete education statutes). (Source: SEA 500-2015).
- (C) A multi-year project to recodify (and revise as necessary to facilitate understanding of and compliance with) part or all of Titles 4 and 5 (general government operations). (Source: Resolution of the Code Revision Commission).
- (D) Preparation of a technical corrections bill to resolve technical conflicts and correct technical errors in statutes and other responsibilities under IC 2-5-1.1-10. (Source: IC 2-5-1.1-10).

(3) SPECIAL INTERIM STUDY COMMITTEE ON REDISTRICTING (HEA

1003-2015)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Alternative methods for establishing districts for the election of members of the General Assembly and members of Congress from Indiana and related topics specified in HEA 1003-2015. (Source: HEA 1003-2015).

SECTION 7. The Legislative Council requests that the Budget Committee study the following legislative topics and make a final report with findings and recommendations to the Legislative Council before November 1, 2015, in an electronic format under IC 5-14-6:

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(1) BUDGET COMMITTEE (IC 4-12-1-3)

- (A) Pay discrepancies in the Indiana State Police Department and how pay scales in the Department compare to city, county and surrounding state law enforcement agencies. (Source: Letter from Sen. Arnold).

**(2) COMMISSION ON IMPROVING THE STATUS OF CHILDREN
(IC 2-5-36-9)**

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Teen suicides (Source: Letter from Sen. Breaux).